

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

NATISHA HARRISON, et. al.,

Plaintiffs,
vs.

APPLEBEE'S NEIGHBORHOOD
GRILL & BAR, etc., et. al.

Defendants.

Case No. 1:19-cv-00249-SJD

District Judge Hon. Susan J. Dlott
Magistrate Judge Hon. Karen L. Litkovitz

**SUGGESTION OF BANKRUPTCY
AND NOTICE OF LIMITED
APPEARANCE AS TO DEFENDANT
RMH FRANCHISE HOLDINGS, INC.**

Defendant RMH Franchise Corporation ("RMH") is one of three defendants in this instant case. See Complaint (Doc. 1) at ¶7 ("Defendant RMH Franchise Corporation is an Ohio corporation that owned, managed, and operated the Applebee's Neighborhood Grill and Bar ("Applebee's Restaurant") located at 3169 Princeton Road, Hamilton, Ohio. RMH Franchise Corporation does business as Applebee's Neighborhood Grill and Bar.").

PLEASE TAKE NOTICE that, on May 8, 2018, voluntary petitions (collectively, the "Voluntary Petitions") for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), were filed in the United States Bankruptcy Court for the District of Delaware by: RMH Franchise Holdings, Inc., Case No. 18-11092; NuLnk, Inc., Case No. 18-11093 (the "NuLnk Chapter 11 Case"); RMH Illinois, LLC, Case No. 18-11094; RMH Franchise Corporation, Case No. 18-11095; and Contex Restaurants, Inc., Case No. 18-11096 (collectively, the "Debtors").

On December 13, 2018, the Bankruptcy Court entered an order (the "Confirmation Order" Doc. 899) confirming the *First Amended Joint Chapter 11 Plan of Reorganization of RMH Franchise Holdings, Inc. and Its Affiliated Debtors, as Amended* (as confirmed, the "Plan"). The

Confirmation Order is attached hereto as Ex. 1, and a copy of the Plan is attached to the Confirmation Order as Exhibit A.

Subsequent to confirmation of the Plan, certain of the Debtors' chapter 11 cases have been closed, and any and all proceedings related thereto shall be administered in the NuLnk Chapter 11 Case.

PLEASE TAKE FURTHER NOTICE that the Plan contains a discharge and permanent injunction (the "Plan Injunction"), which provides as follows:

Upon the Effective Date and in consideration of the distributions to be made pursuant to this Plan, except as otherwise provided herein or in the Confirmation Order, the Debtors shall be discharged from any debt that arose before the entry of the Confirmation Order and any debt of any specified in sections 502(g), 502(h), or 502(i) of the Bankruptcy Code, to the fullest extent permitted by section 1141(d) of the Bankruptcy Code. Except as otherwise provided in this Plan, upon the Effective Date, all such holders of Claims and Equity Interests and their affiliates shall be forever precluded and enjoined, pursuant to sections 105, 524, 1141 of the Bankruptcy Code, from prosecuting or asserting any such discharged Claim against or terminated Equity Interest in any Debtor or any Reorganized Debtor.

Plan § 10.01.

PLEASE TAKE FURTHER NOTICE that, in accordance with the foregoing § 10.01 of the Plan, the claims asserted by the Plaintiff in the above-captioned action (the "Action") have been discharged and the commencement or continuation of the Action has been permanently enjoined. This pleading merely serves the limited purpose of advising the Court and the parties below of the aforementioned bankruptcy proceeding. As a result, no further pleadings or papers are planned to be filed by the undersigned in this action.

Dated: April 23, 2019.

Respectfully submitted,

s//: Eric B Hershberger

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Counsel for RMH Franchise Corporation

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the **SUGGESTION OF BANKRUPTCY** was electronically filed with the Clerk of the Court using the CM/ECF system on April 23, 2019, which shall notify all counsel of record, including the following:

*Jennifer L. Branch
Janaya Trotter Tratton
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s//: Eric B Hershberger